

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

RAYFORD MACK,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.
)	2:07cv 465 -MHT
STATE OF ALABAMA, et al.,)	
)	
Defendants.)	

REPORT OF PARTIES' PLANNING MEETING

1. Pursuant to Fed. R. Civ. P. 26(f), a meeting was held on May 31, 2007 at the law offices of Campbell, Waller & Poer, LLC and was attended by:

A. Appearing on behalf of Plaintiff:

Russell W. Adams
WIGGINS, CHILDS, QUINN & PANTAZIS, LLC
The Kress Building
301 19th Street North
Birmingham, AL 35203
Telephone No. (205) 314-0500
Facsimile No: (205) 254-1500

B. Appearing on behalf of Defendants:

Alice Ann Byrne
State Personnel Department
64 North Union Street
Montgomery, Alabama 36104
(334) 242-3450

Brandy Murphy Lee

Campbell, Waller & Poer, LLC
2100-A SouthBridge Parkway
Suite 450
Birmingham, Alabama 35209
(205) 803-0051

1. Pre-Discovery Disclosures. The parties will exchange by September 26, 2007 the information required by Fed. R. Civ. P. 26(a)(1).
2. Discovery Plan. The parties jointly propose to the Court the following discovery plan:

Discovery will be needed on the following subjects: Plaintiff's allegations and the Defendant's defenses.

All discovery commenced in time to be completed by January 15, 2009.

Electronic information will be preserved by all parties in the manner in which it is ordinarily kept and/or used.

Interrogatories: Maximum of 25 Interrogatories by each party, including sub-parts, with responses due within 30 days after service.

Request for Production: Maximum of 50 Requests for Production by each party, including sub-parts, with responses due within 30 days after service.

Request for Admissions: Maximum of 15 interrogatories by each party, including sub-parts, with responses due within 30 days after service.

Depositions: Maximum of ten depositions by plaintiff and ten by defendant. Each deposition limited to maximum of 6 hours unless extended by agreement of parties.

Expert Witnesses: The parties shall comply with the following deadlines in regard to experts under Rule 26(a)(2):

Plaintiff's experts shall be disclosed by June 24, 2008.

Plaintiff's experts' reports will be due by July 8, 2008.

Defendant's experts will be disclosed by July 24, 2008.

Defendant's experts' reports will be due by August 7, 2008.

Supplementations: Supplementations under Rule 26(e) due within 30 days of learning of the need to supplement, but, in no event, less than 30 days before the close of discovery.

3. Other Items.

A. The Plaintiff shall have until May 7, 2008 to join any additional parties and to amend the pleadings.

B. The Defendant shall have until June 6, 2008 to join any additional parties and to amend the pleadings.

C. The parties do not request a conference with the Court before entry of the Scheduling Order.

D. The parties request a pretrial conference 30 days after a ruling on dispositive motions or 30 days after the deadline for filing dispositive motions, whichever is later.

E. All potentially dispositive motions should be filed by September 17, 2008.

F. Settlement cannot be evaluated before the completion of discovery.

G. Final lists of trial witnesses and exhibits under Rule 26(a)(3) should be due from Plaintiff 30 days prior to trial and from the Defendant by 30 days prior to trial.

H. Parties should have ten days after service of final lists of witnesses and exhibits to list objections under Rule(a)(3).

I. This case should be ready for trial by February 23, 2009. Trial is expected to last 3 days.

Respectfully submitted this ____ day of _____, 2007.

Respectfully submitted,

/s/ Brandy Murphy Lee
Brandy Murphy Lee (ASB-8735-E67B)

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/s/ Alice Ann Byrne
Alice Ann Byrne

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/s/Russell W. Adams

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